

FORM PTO 1390
(REV 5-93)

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER
2005_1034ATRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. §371U.S. APPLICATION NO.
(if known, 37 CFR
NE 107540487International Application No.
PCT/JP2003/016244International Filing Date
December 18, 2003Priority Date Claimed
December 25, 2002**Title of Invention**

POLYGONAL BARREL SPUTTERING DEVICE, POLYGONAL BARREL SPUTTERING METHOD, COATED FINE PARTICLE FORMED BY THE DEVICE AND METHOD, MICRO CAPSULE, AND METHOD OF PRODUCING THE MICRO CAPSULE

Applicant(s) For DO/EO/US

Takayuki ABE et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau. **ATTACHMENT A**
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. §371(c)(2)). **ATTACHMENT B**
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19.
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. **ATTACHMENT C**
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.


13. ☒ A **FIRST** preliminary amendment. **ATTACHMENT D**

☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.

14. ☒ Other items or information:

- Form PCT/IB/304 - **ATTACHMENT E**
- International Preliminary Examination Report (in English) - **ATTACHMENT F**
- Front page of PCT International Publication - **ATTACHMENT G**
- unexecuted Declaration and Power of Attorney with Cover Letter - **ATTACHMENT H**

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

U.S. APPLICATION NO. 10/540487 NEW		INTERNATIONAL APPLICATION NO. PCT/JP2003/016244		ATTORNEY'S DOCKET NO. 2005_1034A	
15. [X] The following fees are submitted Basic National Stage Fee \$300.00 National Stage Search Fee (International Search Report provided - 37 CFR 1.492(b)(2)) \$400.00 National Stage Examination Fee \$200.00 Specification/drawings in excess of 100 pages (units of 50 x \$250.00) = \$				CALCULATIONS	PTO USE ONLY
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 900.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	28 - 20 =	8	X \$50.00	\$ 400.00	
Independent Claims	13 - 3 =	10	X \$200.00	\$2,000.00	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$3,300.00	
[X] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.				(\$1,650.00)	
SUBTOTAL =				\$1,650.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$	
TOTAL NATIONAL FEE =				\$1,650.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	
TOTAL FEES ENCLOSED =				\$1,650.00	
				Amount to be refunded	\$
				Amount to be charged	\$
a. [X] A check in the amount of \$ <u>1,650.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 23-0975 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
19. CORRESPONDENCE ADDRESS <div style="text-align: center;"> CUSTOMER NO. 000513 </div>			By:  Charles R. Watts, Registration No. 33,142 WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250 June 23, 2005		

[CHECK NO. 68909]
 [2005_1034A]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Takayuki ABE et al. : **Mail Stop: PCT**
Serial No. NEW : Attorney Docket No. 2005_1034A
Filed June 23, 2005 :

POLYGONAL BARREL SPUTTERING
DEVICE, POLYGONAL BARREL
SPUTTERING METHOD, COATED FINE
PARTICLE FORMED BY THE DEVICE AND
METHOD, MICRO CAPSULE, AND METHOD
OF PRODUCING THE MICRO CAPSULE
[Corresponding to PCT/JP2003/016244
Filed December 18, 2003]

COVER LETTER FOR APPLICATION FILED
WITHOUT EXECUTED DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application has been submitted without an executed oath or declaration.

It is respectfully requested that this application be assigned a serial number and awarded a filing date.

A duly executed oath or declaration pursuant to 37 CFR 1.63 will be submitted after notification by the U.S. Patent and Trademark Office.


A non-executed copy of the Declaration and Power of Attorney, containing the inventorship information, is attached. It is respectfully requested that all communications be directed to the firm indicated on the attached Declaration and Power of Attorney, namely:

WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006-1021

The required U.S. Patent and Trademark Office Filing Fee is submitted herewith.

Respectfully submitted,

Takayuki ABE et al.

By 
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June 23, 2005